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Fax

To: Ash Grove Cement Co.	Attn: Ken Rone
Fax: 1-913-319-6191	Date: Wednesday, October 30, 2002
Phone:	Time: 2:46 PM
Re: Dredging in Seattle	Pages: 5

☐ Urgent ☒ For Review ☐ Please Comment ☐ Please Reply ☐ Please Confirm

•Comments:

Ken,

Craig asked me to fax to you a letter from Spearman Engineering updating us as to the progress with dredging. I've also attached a marked up letter that is being addressed to the Corp and will be set tomorrow.

Call if you've got any questions.

Don

USEPA SF



1274770

AGC2C000414

FROM : AL ELLIOTT

FAX NO. : 206 675 8201

Aug. 19 2002 03:05PM P1

SPEARMAN ENGINEERING, PS

P.O. Box 230

Bremerton, WA 98337

Phone: 360-377-1630 Toll Free: 1-877-777-1630 Fax: 360-377-1636

MARINE
STRUCTURAL

ENVIRONMENTAL PERMITS

FAX TRANSMITTAL

Date: August 19, 2002

To: Don Ugelstad
Fax 694-6285
Number of Pages - 3

From: Al Elliott
Phone: 206-633-3554
Fax: 206-675-8201
E-mail: aelliott@w-link.net

Re: Material Recovery Permit Status

MESSAGE:

Don:

Enclosed is copy of Permit Status memo prepared last week. I've tried twice to e-mail it to you, without success. Please call if you have any questions.

Al Elliott

AGC2C000415

Memorandum

August 15, 2002

To: File Ash Grove #01-03

From: Al / Jay

Re: Permit status

This is a sensitive point in the permit process. Negotiations and/or tradeoffs seem to be the next step. Client awareness/involvement is important. The objective is to get this project permitted without closing the door on future material recovery. It's possible that the project could be done this fall or early winter. To accomplish this the regulators must keep progressing, and we must try to respond as quickly as possible to their questions and issues.

Following is permit status for the project. Recommendations are included where appropriate to address issues that have been raised by the regulatory agencies.

1. USACE – Suzanne Skadowski – 764-6984

A. BE review – BE is being reviewed by the services.

B. Response from services – NMFS & USFWL

- Their issue seems to be the frequency of dredging. In other words, the volume of material spilled into the water during the off loading.
- NMFS wants a one time only dredge – disagree with the proposed 10 year maintenance program. Skadowski thinks they might agree to 5 years, with conditions. Those conditions could include:
 1. Material handling improvements. Those submitted are acceptable.
 2. Wants assurance that promises to comply with permit conditions will be carried out.

We do not know what they mean by "one time only" dredging. Next step would be find out what this means.

- USFWL has not responded. In discussions with them, Skadowski thinks they have the same concerns as NMFS.
- So far the consultation is informal. If agreement can't be reached the option is formal consultation.

Recommendations: It would probably be short-sighted to agree with the one time only dredge, at this time, unless another permit could be obtained

after 5 years. We could propose a five year maintenance plan with conditions such as:

1. Conduct detailed before and after bathymetry of the barge slip.
2. Annually monitor the pile accumulation.
3. Commit to further operational or capital improvements to off loading system if build up continues.

We believe there is a good likelihood services would agree. Not certain.

C. Dredge Materials Management Office (DMMO)

- As part of the USACE, it must sign off on all dredging projects.
- DMMO concern seems to be that the dredging stay above the native bottom so as not to disturb possible contaminants. We have explained the situation to them and they seem to agree. This project is not a concern.

Recommendations. We could propose, as a condition, that an engineer or independent testing laboratory be on site at all times to assure that the dredging does not exceed the authorized dredge depth.

D. EPA

- EPA must sign off on the project due to location within the Lower Duwamish Waterway Superfund site.
- EPA has not yet reviewed the project. However, as the project is not a known problem site. They will most likely will be satisfied to condition their concurrence on BMPs.

Recommendation: We could suggest the same condition as the DMMO, above. An additional BMP could be using hay bales around the fence of the dewatering barge to control sediment reentering the water column during dredging.

2. WDFW – Pam Erstad 425 379-2306

- HPA has been issued but has the wrong dredge volume. In correcting this they have requested more detailed bathymetry – before and after the dredge. This requirement will probably be included in the re-issued HPA.
- HPA requires that material handling be improved prior to issuance of any subsequent HPA.
- HPA allows dredging October 15 – January 31. They are not the only agency setting work window.

3. City of Seattle

- Shoreline Exemption has been issued.
- SEPA determination (DNS) has been issued noting the material handling improvements implemented at the site.